IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)
MONDAY, THE FIFTH DAY OF JULY
TWO THOUSAND AND FOUR
PRESENT
**THE HON'BLE MR JUSTICE A.GOPAL REDDY**
**WRIT PETITION NO : 22026 of 1999**

Between:

**M.**Guramma, aged 60 yrs,
W/o.late Gurivi Reddy,
R/o. Jammalamadugu,
Cuddapah District.

**.....**
**PETITIONER**

AND

1. The State Transport Appellate Tribunal, A.P.Hyderabad, rep. By its secretary, City Civil Court Buildings, Hyderabad.

2. The Secretary, Regional Transport Authority, Cuddapah.

3. The Divisional Manager, A.P.S.R.T.C, Cuddapah.

**.....RESPONDENTS**

Petition under Article 226 of the constitution of India

praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ, order or direction preferably one in the nature of writ of certiorari and quash the order passed in A.P.No.134/99, dated 03-08-1999, by calling for records relating to the file and pass such other or further orders as are deem fit and proper in the interest of justice.

**Counsel for the Petitioner: SMT.M.VINOBHA DEVI**

**Counsel for the Respondents: Mr.V.V.P.Rao**

**The Court Made the Following :**

**ORDER:**

Petitioner's application for renewal of license was rejected by the Regional Transport Authority. Aggrieved by the same, petitioner carried the matter in appeal before the first respondent, who by an Order dated 03-08-1999 dismissed the same. Hence, the present writ petition.

Learned Counsel for the petitioner contends that in view of Full Bench Judgment of this Court in **DIVISIONAL MANAGER, A.P.S.R.T.C, VIZAIANAGARAM v. STATE TRANSPORT APPELLATE TRIBUNAL, HYDERABAD**[1], the scheme approved in mofussil route will not be applicable to town service route. In view of the same, respondents went wrong in rejecting the renewal. As there is no finding with regard to the route notified under G.O.Ms.No.284 dated 7-8-1985 that it is a

mofussil route or town service route, the impugned order cannot be sustainable and it is accordingly set aside and the matter is remanded to the State Transport Appellate Tribunal to consider in the light of the order passed by the Full Bench in **DIVISIONAL MANAGER, A.P.S.R.T.C, VIZAIANAGARAM v. STATE TRANSPORT APPELLATE TRIBUNAL, HYDERABAD** (1 supra), Status quo with regard to running of the vehicle will be maintained till the disposal of the appeal.

The Writ petition is accordingly allowed.

_____

05-07-2004

vs

To

1. The secretary ,State Transport Appellate Tribunal, A.P.Hyderabad, City Civil Court Buildings, Hyderabad.

2. The Secretary, Regional Transport Authority, Cuddapah.

3. The Divisional Manager, A.P.S.R.T.C, Cuddapah.

4. Two CD Copies.

5. One spare copy.

**THE HON'BLE MR JUSTICE A.GOPAL REDDY**

–

–

–

–

–

–

–

–

–

–

–

–

–

–

–

–

–

–

–

**WRIT PETITION NO : 22026 of 1999**

–

–

–

–

–

–

–

–

–

–

–

–

–

–

–

–

–

–

–

**Dated: 05-07-2004**

---

[1] 2001 (6) ALD 408 (F.B)